

Lake and Clarendon in behalf of the A. & M. Extension Department.

Senator Smith offered communications from Tyler and Longview urging appropriation for the A. & M. extension work.

Committee Reports.

Committee Room,
Austin, Texas, May 1, 1917.

To Hon. W. P. Hobby, President of the Senate.

Sir: We, the Finance Committee, to whom was referred

Senate Concurrent Resolution No. 8 (See proceedings of today for the substitute resolution in full),

Have had the same under consideration and beg leave to recommend that said resolution do not pass, but that the following substitute pass in lieu thereof.

HUDSPETH, Chairman.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, May 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 4 and find it correctly enrolled, and have this day at 11:10 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, May 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 5 and find it correctly enrolled, and have this day at 11:10 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,
Austin, Texas, May 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 6 and find it correctly enrolled, and have this day at 11:10

o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

S. C. R. No. 6. By Caldwell.

Whereas, the Grand Commandery of Knights Templar of Texas will convene in Austin on April 17 and 18, 1918, in annual convention,

Therefore be it resolved by the Senate and House of Representatives that the use of the Senate Chamber and the Hall of the House of Representatives be tendered them for holding that meeting and for the reception to be given the Grand Commandery at that time.

Committee Room,
Austin, Texas, May 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 7 and find it correctly enrolled, and have this day at 11:10 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Harley, Clark. S. C. R. No. 7.

Whereas, our nation is now at war with foreign powers, and

Whereas, it is necessary for citizens of our country, of all classes and stations in life, to prepare themselves for military duty, and

Whereas, the Judge of the Twenty-second Judicial District of the State of Texas, Hon. Frank S. Roberts, is desirous of taking advantage of the opportunity afforded for military training and practice that he may be better able to patriotically serve his country in the event his services are required.

Therefore, be it resolved by the Senate, the House concurring, that the Hon. Frank S. Roberts of the Twenty-second Judicial District of the State of Texas, be given ninety days vacation during the year 1917 for the purpose above set forth.

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, May 2, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was

called to order by Lieutenant Governor W. P. Hobby.

By unanimous consent the Chair announced that the Senate would stand at ease for twenty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Johnson of Hall.
Bec.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hudspeth.	Woodward.
Hopkins.	

Absent.

Caldwell. Parr.
Decherd.

Absent—Excused.

Alderdice.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Petitions and Memorials.

There were no petitions nor memorials today.

Committee Reports.

See Appendix.

Messages from the Governor.

Here the following messages from the Governor were received and laid before the Senate:

Governor's Office,
Austin, Texas, May 2, 1917.

To the Thirty-fifth Legislature in Called Session:

At the request of Honorable R. L. Carlock, Honorable R. H. Holland, Senators W. D. Caldwell, Geo. W. Dayton and O. S. Lattimore, I hereby submit for your consideration a bill, hereto attached, being an Act

to amend Chapter 207 of the laws of the Thirty-fifth Legislature, Regular Session, pages 474 to 485, published laws of said session, regulating the operation of motor vehicles on the public highways in this State, together with such additions and amendments as the Legislature in its wisdom may determine.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 2, 1917.

To the Thirty-fifth Legislature in Called Session:

At the request of Senator I. E. Clark, I hereby submit for your consideration a bill, hereto attached, being an Act to amend Article 6086, Revised Civil Statutes of the State of Texas, Chapter 1, Title 100, entitled "Board of Pardon Advisers," together with such amendments and additions as the Legislature in its wisdom may deem proper.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas..

Executive Office,
Austin, Texas, May 2, 1917.

To the Thirty-fifth Legislature in Called Session:

I hereby submit for your consideration the following bills, hereto attached:

A bill to be entitled An Act to fix the compensation of the district attorney of the Criminal District Courts of Travis and Williamson Counties, and to fix the salary of such district attorney and to make an appropriation for the paying of said district attorney:

A bill to be entitled An Act validating all elections held under and by virtue of petitions, orders of commissioner court, and the posting of notices thereof under the provisions of Section 8, Chapter 169, Acts of the Regular Session of the Thirty-third Legislature, where such petition, orders and notices were filed, made and posted prior to the taking effect of Committee Substitute Senate Bill No. 108, and the election held therein was held subsequent to the taking effect of Committee Substitute Senate Bill 108, enacted at the Regular Session of the Thirty-fifth Legislature, etc.;

A bill to be entitled An Act granting to cities of over five thousand inhabitants power of local self govern-

ment to allow, censor, and regulate, or to prohibit the operation of theatres on Sunday;

A bill to be entitled An Act to amend Article 6174, 6181, 6186, 6188, 6196, 6201, 6214, 6215, 6223, 6224, 6227 and 6230 and by adding 6231a, Title 104, Chapters 1 and 2 of the Revised Civil Statutes of the State of Texas, of 1911, regulating the management, control and financing the penitentiary system, and the working of prisoners therein of the State of Texas;

A bill to be entitled An Act to amend Chapter 33 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, by repealing Sections 5 and 11 thereof, and adding thereto seven new sections, said chapter being originally "An Act to create a more efficient road system for Bosque County," etc.;

A bill to be entitled An Act to create the Dalton Common School District No. 82 of Ellis County with less than nine square miles of territory and providing for the government of said district;

A bill to be entitled An Act to amend Article 7570 of the Revised Civil Statutes of the State of Texas, 1911, so as to make members of boards of equalization liable to the State for money lost by the acceptance of property for taxes for less than its value; fixing the venue of suits for its collection; and requiring tax commissioner to investigate valuation of property;

A bill to be entitled An Act to amend Article 7569 of the Revised Civil Statutes of the State of Texas, 1911, so as to make tax assessors liable to the State for money lost by the acceptance of property for taxes for less than its value, and fixing the venue of suits for its collection.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Bills and Resolutions.

By Senator McNealus:

S. B. No. 24, A bill to be entitled "An Act validating all elections held under and by virtue of petitions, orders of commissioners courts, and the posting of notices thereof under the provisions of Section 8, Chapter 169, Acts of the Regular Session of the Thirty-third Legislature, where such

petition, orders and notices were filed, made and posted prior to the taking effect of Committee Substitute Senate Bill No. 108, and the election held therein was held subsequent to the taking effect of Committee Substitute Senate Bill 108, enacted at the Regular Session of the Thirty-fifth Legislature, and approved by the Governor on March 6, 1917; providing that this Act shall in no wise alter, affect, abrogate or in any way abridge the rights of the Livestock Sanitary Commission of the State of Texas under such Committee Substitute Senate Bill No. 108; and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Clark:

S. B. No. 25, A bill to be entitled "An Act to amend Article 6086, Revised Civil Statutes of the State of Texas, Chapter 1, Title 100, entitled "Board of Pardon Advisers."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Buchanan of Scurry:

S. B. No. 26, A bill to be entitled "An Act to amend Section 1, Chapter 80, page 151 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, known as H. B. No. 226; approved March 15, 1917, relating to the appropriation of funds in the State Treasury not otherwise appropriated for the purpose of promoting country public school interests of the State of Texas and aiding the people in providing adequate school facilities for the education of their children, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hall:

S. B. No. 27, A bill to be entitled "An Act to aid the county of Chambers in constructing breakwaters, roads and bridges within said county by donating and granting to it, the said county of Chambers, the State ad valorem taxes collected on property and from persons in Chambers County for a period of ten years, and to provide a penalty for their misapplication."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 28, A bill to be entitled

"An Act to provide for the organization of a Ranger force for the protection of the frontier against marauding and thieving parties, foreign foes or any enemy of the State of Texas, or the Government of the United States, and for the suppression of lawlessness and crime throughout the State, or to suppress any invasion from an alien enemy of this State or any State of the United States of America; to prescribe duties and powers of members of such force; to regulate their compensation; and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hudspeth:

S. B. No. 29, A bill to be entitled "An Act making appropriations to cover authorized deficiencies for fiscal year ending August 31, 1915, and to cover authorized deficiencies for the fiscal year ending August 31, 1916, being amount of registered deficiency warrants as shown by the records of the State Comptroller, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hudspeth:

S. B. No. 30, A bill to be entitled "An Act granting to cities of over five thousand inhabitants power of local self government to allow, censor, and regulate, or to prohibit the operation of theatres on Sunday; repealing only such laws or parts of laws as are in direct conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dean:

S. B. No. 31, A bill to be entitled "An Act to amend Article 6, 174, 6186, 6188, 6196, 6201, 6214, 6215, 6220, 6223, 6224, 6227 and by adding 6231a, Title 104, Chapters 1 and 2 of the Revised Civil Statutes of the State of Texas of 1911, regulating the management, control and financing the penitentiary system, and the working of prisoners of the State of Texas, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

Simple Resolution No. 25.

By Senator Henderson:

Whereas the food and feed reserves of the world are below the normal supply, the International Institute of Agriculture reporting that on April 1 of this year stock of corn, wheat, oats, rye and barley 150,000,000 bushels less than was consumed between April 1 and harvest time last year; and

Whereas, the United State Department on April 1 last, reported the American wheat crop as promising a yield of 50,000,000 bushels less than last year and 244,000,000 less than the year before; and

Whereas, to feed the armies of the allies now fighting the battles of the United States, and to sustain the people of this country, will require the utmost efforts of our farmers to increase production, and the strictest economy by consumers in the purchase and utilization of all food and feed products, and

Whereas, in order to avoid want and hunger in this country and in the countries of our allies, it is imperative that the farmers of America shall diversify their crops and cultivate them intensively, so that the greatest possible yield will result, and to this end

Be it resolved by the Senate of Texas, that speaking for the great body of people, we, the Senators thus representing the people of this State, do hereby extend thanks and appreciation to those farmers who are to-day putting forth their best efforts to meet the crisis now faced by this nation and her allies, believing that said farmers, by so doing, are exemplifying the highest type of sustaining patriotism and that their contribution to the interests of this nation measures in merit to the patriotism shown on fields of battle; and

Be it further resolved, that this Senate does here and now invite the careful attention and thoughtful consideration of those farmers who are not raising food or feed crops to the existing state of facts, to the end that their consciences may be so quickened as to cause them to emulate the splendid example of loyalty and fealty shown by the tillers of the soil who are now "doing their bit" and doing it in such a practical and profitable manner by growing those crops that will feed the hungry of this land and of the stricken nations of war-torn Europe.

The resolution was read and adopted.

Bill Signed.

The Chair (Lieutenant Governor Hobby) gave notice of signing and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 12, A bill to be entitled "An Act creating the San Diego Independent County Line School District of Duval County by adding to and making a part of what is now known as the San Diego Independent School District of Duval County certain lands and territory adjoining thereto and situated in Duval and Jim Wells Counties for school purposes only, etc."

Senate Bills Nos. 6 and 16—Set as Special Order.

By unanimous consent and on request of Senator Bee, Senate Bills No. 6 and No. 16 were set as special orders for next Friday, May 4, at the conclusion of the morning call.

Senate Bill No. 9—Set as Special Order.

By unanimous consent and on request of Senator Dayton, S. B. No. 9 was set as a special order immediately following the consideration of S. B. No. 16 on next Friday.

House Bill No. 11.

The Chair laid before the Senate on second reading:

H. B. No. 11, A bill to be entitled "An Act creating the Armstrong Independent School District of Bell County, Texas, with certain metes and bounds; providing for the election of trustees of said school district; naming the trustees and officials and their terms of office; and caring for the present bonded indebtedness on said territory as embraced in the Armstrong Common School District, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Buchanan of Bell, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 11 put on its third reading and final passage by the following vote:

Yeas—25.

Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Smith.
Floyd.	Strickland.
Hall.	Sulter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Bailey.	Parr.
Gibson.	Robbins.
King.	

Absent—Excused.

Alderdice.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—24.

Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Floyd.	Smith.
Hall.	Strickland.
Harley.	Sulter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Bailey.	King.
Decherd.	Parr.
Gibson.	Robbins.

Absent—Excused.

Alderdice.

Morning call concluded.

Senate Bill No. 6—Proposed Amendment.

By unanimous consent, and on request of Senator Dayton, the following proposed amendment by Senator Gibson to S. B. No. 6 was offered and ordered printed in the Journal:

(1) Amend S. B. No. 6 by striking out Sec. 4 and inserting in lieu thereof the following:

Section 4. It shall be the duty of the commission to meet not later than August 1, 1917, and as often thereafter as may be necessary, for the purpose of considering the advisability of continuing or discontinuing at the expiration of the present contracts any of the State adopted textbooks now in use in the public schools of Texas; provided that not more than three series of texts in the elementary grades nor one series of texts in the high school grades shall be changed in any one year, if the price of books now in use are offered as cheap as books of like quality are offered by other publishers. Before making any change in the adopted series, however, the commission shall upon thorough investigation satisfy itself that a change is desirable in the interests of the children in the schools, and then it shall be lawful for the commission to make new adoptions covering a period of not to exceed six years in each case where a change is found desirable; but if, in the judgment of the commission, it is found that no change is desirable in any of the adopted texts, then it shall be lawful for the commission to renew any present contracts for such period of time as may be deemed advisable, not to exceed a period of six years, in accordance with the provisions of this Act. If in the judgment of the commission any change or changes in the adopted texts shall be made it shall be the duty of the commission to advertise for bids as provided in Section 8 of this Act. If no text or texts on any prescribed subject are submitted by any publisher or publishers that meet the requirements of the schools, as may be determined by the commission, then it shall be the duty of the chairman of the commission to instruct the secretary to the commission to investigate the book mark-

ets for the purpose of securing bids with a view to securing at the most reasonable price or prices possible the best available texts on any and all subjects that are to be adopted by the commission for the schools of Texas.

Senate Bill No. 13.

The Chair laid before the Senate as pending business under a special order:

S. B. No. 13, A bill to be entitled "An Act to provide for the appointment of officers of the National Guard of Texas, etc."

Senator Lattimore moved that the special order of business (S. B. No. 13), be suspended, and the Senate take up, out of its order, S. B. No. 11.

The motion was lost by the following vote:

Yeas—7.

Buchanan of Bell.	Lattimore.
Caldwell.	Suiter.
Dean.	Westbrook.
Johnson of Hall.	

Nays—16

Bee.	Johnston of Harris.
Buchanan of Scurry.	King.
Clark.	McCollum.
Dayton.	McNealus.
Hall.	Page.
Harley.	Robbins.
Hopkins.	Strickland.
Hudspeth.	Woodward.

Absent.

Bailey.	Henderson.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	

Absent—Excused.

Alderdice.

Action recurred upon S. B. No. 13, the question being upon the substitute by Senator Henderson for the pending amendment by Senator Lattimore, and by unanimous consent both the substitute and the amendment were withdrawn.

(President Pro Tem. Suiter in the chair.)

Senator Lattimore offered the following amendment:

Amend Sec. 1, S. B. No. 13, that same shall read as follows:

Section 1. All officers of the National Guard of Texas, whose tenure of office is required by the Act of Congress, passed in June, 1916, and entitled "An Act for making further and more effectual provision for the National defense," to extend till they reach the age of sixty-four years, shall be appointed and commissioned by the Governor of this State, and shall hold their positions until they shall have reached the age of sixty-four years; and all other officers of said National Guard of Texas shall be appointed and commissioned by the Governor of this State, and shall hold their positions until removed by the Governor for cause, unless retired prior to that time by reason of resignation, disability or for cause determined sufficient by a court martial, or an efficiency board legally convened for that purpose; provided that all officers of the National Guard of Texas appointed and commissioned by the Governor in time of war shall hold their positions until the close of the war, unless removed by death, resignation or by order of such court martial or efficiency board.

LATTIMORE.

HUDSPETH.

Senator Harley moved to table the amendment which motion prevailed by the following vote:

Yeas—12.

Bee.	Hopkins.
Caldwell.	King.
Clark.	McCollum.
Dayton.	Robbins.
Gibson.	Westbrook.
Hall.	Woodward.
Harley.	

Nays—9.

Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Decherd.	Smith.
Floyd.	Suiter.
Johnston of Harris.	

Absent—Excused.

Alderdice.

Pairs Recorded.

Senator Strickland (present), who would vote "nay"; Senator Bailey (absent), who would vote "yea."

Senator Henderson (present), who

would vote "nay"; Senator Page (absent), who would vote "yea."

Senator Johnson (present), who would vote "nay"; Senator Parr (absent), who would vote "yea."

Senator Dean (present), who would vote "nay"; Senator Hudspeth (absent), who would vote "yea."

Refusal to Adjourn.

At 12:25 o'clock p. m. Senator McNealus moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—4.

Buchanan of Bell. McNealus.
Johnston of Harris. Strickland.

Nays—22.

Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	Robbins.
Decherd.	Smith.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Floyd.	Page.
Hudspeth.	Parr.

Absent—Excused.

Alderdice.

Senate Bill No. 13.

(Pending.)

Action recurred upon pending business, S. B. No. 13, the question being upon the engrossment of the bill.

Senator Harley moved the previous question on the engrossment of the bill, which was duly seconded.

Senator Lattimore made the point of order that he wished to offer an amendment to S. B. No. 13, which under the rules of the Senate would take precedence.

The point of order was overruled.

Senator Lattimore moved that the Senate recess until 3 o'clock p. m. today.

Senator Dean raised the point of order that the previous question had been moved and seconded and that the Chair was in the act of putting the question and could not be interrupted by another motion until the question had been put.

The Chair sustained the point of order.

Action recurred on the motion for the previous question and the same was ordered.

S. B. No. 13 was laid before the Senate, read second time and ordered engrossed.

Senator Harley moved to reconsider the vote by which S. B. No. 13 was passed to engrossment and table the motion to reconsider.

The motion to table prevailed.

Adjournment.

At 12:35 o'clock p. m. on motion of Senator Clark, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Enrolling Committee Report.

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 12 and find it correctly enrolled, and have this day at 11:05 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred H. C. R. No. 2, relating to military highways along the Texas border,

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Robbins, Chairman; Harley, Bee, Suiter, Johnson.

(Majority Report.)

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Education, to whom was referred

S. B. No. 6, A bill to be entitled "An Act to create a permanent textbook commission for the State of Texas, to be styled 'The Texas Textbook Commission'; defining its membership and appointment; authorizing the adoption of a system of uniform textbooks in this State; providing the manner in which revisions of adopted texts may be made; to prohibit lobbying before the commission by legal and special representatives of authors or publishers; to prescribe rules and regulations for the commission in entering into contracts with the schools of the State; to prescribe penalties for violation of the provisions of this Act; to provide for the enforcement of contracts; to make an appropriation to carry into effect the provisions of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Education, to whom was referred

S. B. No. 6, A bill to be entitled "An Act to create a permanent textbook commission for the State of Texas, to be styled 'The Texas Textbook Commission'; defining its membership and appointment; authorizing the adoption of a system of uniform textbooks in this State; providing the manner in which revisions of adopted texts may be made; to prohibit lobbying before the commission by legal and special representatives of authors or publishers; to prescribe rules and regulations for the commission in entering into contracts with the schools of the State; to prescribe penalties for violation of the provisions of this Act; to provide for the enforcement of contracts; to make an appropriation to carry into

effect the provisions of this Act; and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

LATTIMORE.

Committee Room,

Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to authorize the board of education of the State and of counties, local school systems, separate school districts, and district agricultural, vocational or training schools to adopt school books, other than the regular basal elementary school books, provided for by the uniform textbook law, from an approved list issued by the State Board of Education, and to purchase all school books and sell, rent or furnish them free to pupils, to require publishers to file sample copies of all school books to be sold in the State with the State Superintendent of Schools; to require publishers to sell school books to public school authorities in this State at the lowest net wholesale prices given anywhere in the United States; to provide for teaching of U. S. Infantry Drill tactics; to require publishers to give bond to the State; to provide punishment and penalties for the violation of this Act, and for other purposes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,

Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 11, A bill to be entitled "An Act creating the Armstrong Independent School District of Bell County, Texas, with certain metes and bounds; providing for the election of trustees of said school district; naming the trustees and officials and their terms of office; and caring for the present bonded indebtedness on said territory as embraced in the Armstrong Common School District; validating and providing for collection of present main-

tenance tax levy; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Committee on Education, to whom was referred

S. B. No. 16, A bill to be entitled "An Act to authorize an extension of the contracts made with various book companies by the State of Texas to furnish school books for the public schools and which contracts terminate under the terms of same on August 31, 1919, for a period of one year from the date; providing for said extension to be made by the Board of Education of the State of Texas on or before June 1, 1918; providing that the Attorney General shall examine and approve the contracts and bonds entered into by the companies as to their legality and binding effect; providing that each and every company which agrees to and enters into contract for the extension of its contract, for a period of one year, shall execute a good and sufficient bond in the same terms and upon the same conditions as the bonds heretofore made to the State, guaranteeing the performance of said contract, and creating an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BEE, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Education, to whom was referred

S. B. No. 16, A bill to be entitled "An Act to authorize the extension of the contracts made with various book companies by the State of Texas to furnish school books for the public schools and which contracts

terminate under the terms of same on August 31, 1919, for a period of one year from that date, etc."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE.

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 18, A bill to be entitled "An Act to amend Chapter 15, Title 48, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 2815c, to provide for the incorporation of the whole or any part of independent or common school districts into an independent school district constituted by an incorporated city or town, and providing for the assumption by such incorporated city or town of the whole or any part of the bonded indebtedness of such independent or common school district, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 19, A bill to be entitled "An Act to appropriate certain sums of money out of the general funds of the State not otherwise appropriated for the fiscal years beginning September 1, 1917, and September 1, 1918, to be used for the purpose of the inspection and eradication of citrus canker and other dangerous diseases and pests now threatening the destruction of the citrus industry in this State, and in order to secure a like appropriation from the Federal Government for the same purpose, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be printed with the following amendment:

That Section 1 be amended by

striking out the words "twenty-four thousand" and inserting in lieu thereof the words "twelve thousand."

HUDSPETH, Chairman.

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 20, A bill to be entitled "An Act to create a common county line school district to be known as Bethel District No. 34, to be under the jurisdiction, management and control of the commissioners court, Stonewall County, Texas; to be composed of the territory described in this Act lying in the counties of Stonewall and Jones in this State, and defining the rights, powers and privileges of such district, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with with the recommendation that it do pass, and be not printed.

BEE, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 24, A bill to be entitled "An Act validating all elections held under and by virtue of petitions, orders of commissioners courts, and the posting of notice thereof, under the provisions of Section 8, Chapter 169, Acts of the Regular Session of the Thirty-third Legislature, where such petition, orders and notices were filed, made and posted prior to the taking effect of Committee Substitute Senate Bill No. 108, and the election held therein was held subsequent to the taking effect of Committee Substitute Senate Bill No. 108, enacted at the Regular Session of the Thirty-fifth Legislature, and approved by the Governor on March 6, 1917; providing that this Act shall in no wise alter, affect, abrogate or in any way abridge the rights, powers, and duties of the Livestock Sanitary Commission of the State of Texas under such Committee Substitute Senate Bill No. 108; and declaring an emergency,"

Have had the same under consid-

eration, and we now beg leave to report the bill back to the Senate with the recommendation that it do pass.

Clark, Chairman; Johnson, Huds-
peth, Dean, Robbins, Buchanan of
Bell.

Committee Room,
Austin, Texas, May 2, 1917.

Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on
State Affairs, to whom was referred
S. B. No. 22, A bill to be entitled
"An Act granting to the city of Aus-
tin, for public purposes only, certain
land lying between the Colorado
River and outlets 1 and 11, in Di-
vision "Z" in the city of Austin,
Texas, upon certain terms and con-
ditions; and reserving to the State
certain rights therein; providing for
the forfeiture of said land to the
State of Texas if used for other pur-
poses than public purposes; and de-
claring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate
with the recommendation that it do
pass, and that it be not printed but
printed in the Journal.

McCOLLUM, Chairman.

By Caldwell.

S. B. No. 22.

A BILL

To Be Entitled

An Act granting to the city of Austin,
for public purposes only, certain
land lying between the Colorado
River and Outlots 1 and 11, in
Division Z, in the city of Austin,
Texas, upon certain terms and con-
ditions; and reserving to the State
certain rights therein; providing
for the forfeiture of said land to
the State of Texas if used for other
purposes than public purposes; and
declaring an emergency.

Be it enacted by the Legislature of
the State of Texas:

Section 1. That the State of Texas
hereby grants and conveys to the city
of Austin all of that tract of land
situated in the city of Austin, Travis
County, Texas, bounded on the west
by the east line of the George W.
Spear Survey No. 7, on the north by
Outlots Nos. one (1) and eleven (11)
in Division Z of said city, on the east
by the west line of West avenue in
said city, and on the south by the
Colorado River, said tract of land

being shown upon the map of the city
of Austin, Texas, as plotted and
drawn by William H. Sandusky ac-
cording to an Act of Congress of the
Republic of Texas passed January 5,
1840, and being designated on said
map as "Reserve," and being com-
monly known as "Sand Beach Re-
serve" and so shown upon subsequent
maps of said city, for the purposes
and considerations and upon the con-
ditions hereinafter stated.

Sec. 2. This grant is made to the
city of Austin to be used and held by
said city perpetually for public pur-
poses only, but if any portion of the
land hereby granted be used by said
city for any purposes other than
public purposes, or if any of the de-
posits of sand and gravel situated
thereon be used for commercial pur-
poses, title to said land shall revert
to the State of Texas free from all
claims of said city of Austin; pro-
vided, that the State of Texas hereby
reserves the right and privilege of
entering, employing and occupying
said land at any time hereafter for
the purpose of erecting, operating and
maintaining a water plant thereon.

Sec. 3. This grant is conditioned
upon the performance by the city of
Austin of the following obligations:

The city shall furnish free sanitary
sewer service perpetually to all the
governmental departments and edu-
cational, eleemosynary and other in-
stitutions of the State of Texas now
located or to be located within and
in the vicinity of the corporate limits
of the city of Austin, and shall pro-
vide and perpetually maintain all
sanitary sewer mains within the city
limits situated upon private property
and in the public streets and alleys
of the city of sufficient capacity to
adequately carry the sewage from
such State departments and institu-
tions, said mains to be laid at a depth
which will permit gravity flow where
practicable, of all sewage delivered
to its mains from said State depart-
ments and institutions within the city
limits, and shall, within a reasonable
time and without expense to the State
of Texas, treat and dispose of all
sewage from such State departments
and institutions to such degree and
in such manner as is or may be re-
quired under the Acts of the Legis-
lature of the State of Texas relating
to the pollution of streams, and shall
within a reasonable time build, equip
and perpetually maintain an experi-
mental sewage treatment plant in

addition to and in connection with the plant required under the Acts above referred to, for the joint use of the State of Texas and city of Austin, said experimental sewage treatment plant to be constructed according to the plans and specifications provided by the State Board of Health and at a cost not to exceed \$2,500, but without expense to the State of Texas, and shall upon demand of the State deliver water to the premises of the State departments and institutions situated and to be situated within the limits of the city of Austin, at the cost of delivery thereof. The city shall be obligated to construct its sanitary sewer mains to the premises of the various State departments and institutions situated within the corporate limits of the city, but all State institutions situated outside of the corporate limits of the city shall be allowed to connect sanitary sewer mains to the city sanitary sewer mains, as such mains may then exist, at the most convenient point thereof, and the city shall not be obligated to make any extensions or additions in order to make such last named connections. The State shall permit the city to lay and maintain its sanitary sewer mains on and across State property, whenever it shall become necessary to serve the various State institutions under the provisions of this Act or to provide sewerage facilities for isolated sections of the city, but the city shall restore to its former condition all such property after the construction or repair thereon of any such sewer mains. The city shall not be obligated to carry off storm water through its sanitary sewer mains, but shall provide for the removal of laundry wastes originating at the various State departments and institutions so connected with its said sewer mains. The State shall not be responsible for the cost of any repairs to the sanitary sewer mains and laterals within the city, except such repairs as may become necessary on connecting mains and laterals built by the State and upon State premises; but the State shall allow no substance that may be detrimental to the materials composing the mains of the city, nor which will clog the same, nor which will be detrimental to the proper purifying action in the sewage disposal plant that will hereafter be established by the city, nor which will be injurious

to such plant itself, to enter its connecting mains from its own premises, and the State will comply with all reasonable rules and regulations that may be adopted or enacted by the city for the protection and proper operation of its sewer plant.

Sec. 4. The fact that the State of Texas gets its water supply for its various departments and educational and eleemosynary institutions situated within the city of Austin from the water plant of said city, the filtering trenches of which are located upon the land herein granted, and the fact that the State cannot complete a water plant for its own use without a much greater expense than the value of the land herein granted and without such delay as might prove dangerous to the public health, and the fact that conditions now exist in and adjacent to the land herein granted which have already and are liable to more extensively pollute the source of supply of said water and thereby endanger the public health, and the fact that such conditions can best be corrected and the public health best subserved by the immediate granting to the city of Austin of said land so as to enable said city to control and police same absolutely and to make all necessary corrections at its own expense, creates an emergency and imperative public necessity requiring that the constitutional rule that bills be read on three several days shall be suspended and it is hereby suspended and this Act shall take effect from and after its final passage, and it is so enacted.

TWELFTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, May 3, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Suiter.

By unanimous consent the Chair announced that the Senate would stand at ease for thirty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Clark.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dean.
Caldwell.	Decherd.